

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, April 22, 2002

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members, Borys, Clement, Kreider, Raser, Senhauser, Spraul-Schmidt, Sullebarger, and Wallace present. Absent: Bloomfield

MINUTES

Mr. Raser questioned whether approval of the demolition of 830 Lincoln Avenue had been contingent upon the property owner providing additional financial information to document that there is no reasonable economic return to be gained from the use of all or part of the building. The minutes of the Monday, March 25, 2002 meeting were approved as corrected (motion by Borys second by Clement); Ayes: Borys, Clement, Kreider, Senhauser, Spraul-Schmidt, Sullebarger, and Wallace; Nay: Raser

CERTIFICATE OF APPROPRIATENESS, 8-36 WEST MCMICKEN AVENUE, PHASE 1 REHABILITATION AND DEMOLITION, OVER-THE RHINE (NORTH) HISTORIC DISTRICT

Urban Conservator William Forwood presented the staff report for a Certificate of Appropriateness for a phased rehabilitation of four industrial buildings for mixed commercial/residential use including the demolition of a contributing district structure and the development of a surface parking lot to serve the project.

Mr. Forwood recalled for the Board that on March 25, 2002, the Historic Conservation Board reviewed this project in its entirety (without phased rehabilitation) and approved a Certificate of Appropriateness for the demolition of 14 West McMicken Avenue under the following conditions: (a) final approval has been granted at the federal level for the completion of the Section 106 Review process; and (b) final plans for the entire rehabilitation project (8-36 West McMicken Avenue) have been submitted, reviewed and approved by Buildings and Inspections and the Historic Conservation Board or the Urban Conservator prior to issuing a Certificate of Appropriateness and a demolition or building permit. Mr. Forwood informed the Board that the Applicant/Owner, Mr. Walter Reinhaus, is requesting relief on condition "b", allowing him to proceed with a phased development.

Mr. Forwood explained that Mr. Reinhaus would like to complete his project in phases, the first phase being a commercial development of primarily the first floor and portions of the second and third floor. The only change from the original approved plans that would affect the exterior of the building would be to the balconies and porch shown on the east elevation. The porch would be eliminated and instead of having access doors on the balconies, there would be full glazed window openings. The upper floor spaces would then be used initially for potential office space and not as residential. Changing the approval and the conditions on it are so that Mr. Reinhaus can realize the cash flow he believes is necessary to complete this project; however, there is still the concern (as was previously

expressed) that 14 West McMicken would be demolished without the entire project going forward.

Mr. Forwood said that the State preservation office has confirmed that under Section 106 Review, a Memorandum of Agreement would be required making the demolition of 14 West McMicken contingent upon Mr. Reinhaus documenting that building prior to demolition. Should Mr. Reinhaus fail to do that, he will potentially lose his federal funding for the project, but there is no guarantee that the entire project will be completed.

Concluding, Mr. Forwood pointed out that changes with this application involve only minor changes to the east elevation, limiting the development of the parking lot, (fencing for it just along a section of McMicken), and asking the Board to modify its original condition to allow the Applicant/Owner to proceed on this with the submission of plans and specifications for a 1st Phase for a commercial section only.

In response to Ms. Borys, Mr. Forwood clarified that there are no changes to the window openings, except they now contain windows instead of access doors to balconies and the means of egress for the residential development has been eliminated. Mr. Forwood showed floor plans of the areas to be completed in Phase 1.

Discussion ensued regarding the conditions of the original approval. Mr. Senhauser reiterated the Board Action from the March 25th meeting and specified that the Board had given tentative approval to the installation of the doors on the street façade in particular since that was the more obvious elevation, based on the subcommittee's review. Mr. Raser added that the subcommittee was primarily concerned that the building would be demolished and there would be no development.

In response to Ms. Sullebarger, Mr. Forwood reviewed the guidelines for Over-the-Rhine (North) pertaining to the demolition of buildings. Ms. Sullebarger concluded that the Board agreed on March 25th that a case had been made for economic hardship.

[Mr. Krieder joined the meeting]

Ms. Borys asked if the subcommittee felt any more assurance that the entire project would be completed. Ms. Wallace indicated that she was satisfied, with the understanding that the plans will be reviewed prior to the demolition and acknowledging that now the plans would only include Phase 1 – not the entire project.

Owner/Applicant Mr. Reinhaus stated that he supports the recommendation of staff. He confirmed that he will be using capital from Phase 1 to offset his expenses and will be continuing the Section 106 review so he can get federal funds to complete the residential Phase 2. Mr. Reinhaus said it is his intent to complete this project, the exact form and details could shift as they need to in order to make that happen. Mr. Reinhaus summarized potential tenants.

Ms. Borys asked about the timeline for moving forward with subsequent phases and what limitations commercial leases may put on his completing the full scope of his project. Mr. Reinhaus responded that the microbrewery, grocery, gallery, and workshops remain available as commercial space with the residential conversion. Mr. Reinhaus stated that he believed Phase 1 could be completed in the fall and Phase 2 could begin. Mr. Forwood estimated that the administrative reviews could

be completed within 90 days; the OSPO has indicated that its review would take six to eight weeks. After the 106 review is complete, the environmental review can be completed and the 60-day notification could be published. The Department of Community Development could then enter into an agreement with Mr. Reinhaus that will be conditioned upon his securing a first mortgage.

Ms. Borys stated concern about the parking lot, since the Board never reviewed or saw specific plans. Mr. Forwood commented that Mr. Reinhaus would still be required to obtain a Certificate of Appropriateness; other City departments would be involved in reviewing the work as part of the building permit process. He said that if substantial changes are made to the schematic plan presented, the new plan could be brought back before the Board. Ms. Borys indicated she is more concerned about the parking lot conforming to the guidelines and felt comfortable with the Urban Conservator giving the approval.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Wallace) to modify its previous approval for a Certificate of Appropriateness for the rehabilitation of 8-36 West McMicken Avenue and the demolition of 14 West McMicken as issued on March 25, 2002 as follows:

4. Approve a Certificate of Appropriateness for the demolition of 14 West McMicken Avenue, the development of a surface parking lot at 8-14 West McMicken Avenue and the rehabilitation of 16-36 West McMicken Avenue under the following conditions:

- (a) Final approval has been granted at the federal level for the completion of the Section 106 Review and the applicant has entered into a Memorandum of Agreement for the documentation of 14 W. McMicken Avenue prior to demolition.
- (b) Final plans for the (commercial) Phase 1 of the rehabilitation project (8-36 West McMicken Avenue) have been approved by the City's Department of Buildings and Inspections for a building permit and approved by the Urban Conservator as conforming to schematic plans approved by the Historic Conservation Board prior to the demolition of 14 W. McMicken Avenue.

CERTIFICATE OF APPROPRIATENESS, 235-237 COURT STREET, COURT STREET HISTORIC DISTRICT

Staff member Adrienne Cowden presented the staff report for a Certificate of Appropriateness for the conversion of this commercial building located at 235-237 West Court Street into two single-family residences. The building is located within the Court Street Historic District and the Downtown Development District. Proposed work is limited to the main (north) façade and the rear (south) elevation. Ms. Cowden stated that the submitted drawings no longer depict what the applicant is proposing or work completed to date.

On the main façade, the existing one-over-one double hung wood sash will be removed and replaced with new one-over-one double-hung aluminum clad wood windows. The existing storefront, below the transoms, will be removed, and a garage door and entrance will be installed for each residence. The applicant is proposing carriage style doors with cross-buck detailing for the garages (these

elements are not shown on the plans) and six-panel entry doors. Ms. Cowden noted that carriage doors are not common in the Court Street Historic District, but paneled wood and aluminum overhead and folding doors are. She suggested that the paneled doors be pushed about 18" towards the garage door and infilling the gap between the openings with wood rather than brick, to create a more symmetrical design.

Ms. Cowden continued to describe proposed work on the rear elevation. Since the staff report was written, the first floor window openings have been infilled with concrete block. The submitted plans proposed infilling these openings with glass block. The two existing paneled wood doors on this story are to be removed and replaced with hollow core steel doors. The submitted plans depicted wood decks on the second and third stories, and the applicant is now proposing a brick walled deck on the second story. Ms. Cowden indicated that the rear elevation is visible from parking lots to the east and to the south.

In response to a query from Mr. Raser, Ms. Cowden stated the Downtown Resident's Council had not responded to the public notice for this project. Mr. Raser then pointed out that the staff report indicates that the garage doors could not be set back because the floor is 6"-8" higher than the sidewalk. Considering this condition, Mr. Raser asked how an automobile would enter the garage from Court Street. Ms. Cowden responded that an agreement was made with Buildings and Inspections to ramp up over the sidewalk and then ramp down on the interior. Mr. Raser stated that the Sidewalks Division in Transportation and Engineering would have to review it, and he could not imagine it being approved since it would be well over the 2% maximum cross slope required by the Americans with Disabilities Act. He questioned if lowering the garage floor was ever considered. Ms. Cowden stated she was not aware if this alternative was considered.

In response to Mr. Raser and Ms. Clement, Ms. Cowden clarified that she was proposing that the third story deck be eliminated. She stated that outdoor space was provided on the second floor. Also, the third story deck would be visible from the east and south and would require modification of existing window openings.

Mr. Senhauser questioned whether the staff recommendation would have to be modified, considering the modifications to the proposal. Ms. Cowden affirmed the recommendation must be changed.

The applicants, Mary Jill H. and Sean Donovan, were present to answer questions from the Board. In regards to the garage entry, they stated that inspectors from the Sidewalk Section have given preliminary approval. Clarifying the changes to their proposal, they indicated all openings on the first floor rear elevation would be infilled for security reasons. Mr. Donovan pointed out the existing floor level of the second floor deck would be dropped about three feet, so the total height of the wall would be approximately eight feet - slightly higher than what is pictured in the current proposal. Ms. Donovan admitted that they had not finalized the details for the balconies, and added that they would like to retain this feature. Mr. Raser asked if they would consider a different material instead of pressure treated wood. The Board discussed appropriate materials, and one suggestion included wrought iron or metal.

Discussion continued regarding the staff recommendation that the entry doors be moved more toward the garage doors, concluding that while it may not be ideal, pragmatics dictate that doors remain positioned as proposed.

Mr. Senhauser stated that the Board meets again in two weeks and recommended the applicants finalize their submission in that time period.

The Board summarized items to be addressed as 1) details/materials for the second and third story decks; and 2) the type and style of garage doors on the main façade, taking into consideration compatibility with the larger historic district.

BOARD ACTION

No action was required since the Item is being kept open until the next meeting.

NATIONAL REGISTER NOMINATION, UNION BAPTIST CEMETERY, 4933 CLEVES WARSAW PIKE, PRICE HILL

Staff member Adrienne Cowden presented the staff report for the National Register Nomination of the Union Baptist Cemetery. Ms. Cowden stated that Mary Ann Olding, on behalf of Dr. Bailey Turner, Union Baptist Church Trustee, has begun the formal process to nominate this cemetery. The Ohio Historic Site Preservation Advisory Board (OHSPAB) will consider the nomination at its meeting on June 7, 2002. Ms. Cowden indicated that in a conversation with Steve Gordon of the Ohio Historic Preservation Office Mr. Gordon stated he would be recommending that the OHSPAB accept the nomination.

Ms. Cowden pointed out that ordinarily cemeteries and religious properties are not considered eligible for listing in the National Register. However, a cemetery constructed, owned, and/or operated by a religious institution can be found eligible if it meets the requirements of Criteria Considerations A and D in addition to meeting at least one of the regular criteria for listing. Ms. Cowden emphasized that the cemetery's significance speaks for itself. The cemetery clearly meets both criteria for nomination, as well as the more stringent criteria considerations that apply to religious institutions and cemeteries. She did suggest that a brief statement summarizing how the cemetery meets the requirements of Criteria Consideration A be added to further clarify the cemetery's significance.

In response to Mr. Raser, Ms. Cowden said that listing in the National Register would in no way hamper anyone from erecting something that further commemorates the importance of the cemetery, e.g., a plaque. She added that, upon reviewing the nomination, she sent the information to Mr. Orloff Miller of the National Underground Railroad Freedom Center (NURFC).

Mr. Carl B. Westmoreland, Senior Advisor at NURFC, was present to speak in support of the nomination. He stated that NURFC had encouraged Union Baptist to pursue the nomination. Church members researched their archives providing a history to the site. In doing this, they have given African-Americans in Cincinnati a legitimate historic link to the present. Mr. Westmoreland stated there has been an African presence in Cincinnati for most of its history, and they are trying to document the roles of Africans in their liberation and the building of Cincinnati. He then specified contributions of some individuals who are buried in the cemetery including Sergeant Powhatan Beatty and Mrs. Fossett. He pointed out that their homes and other physical legacies are gone, but the cemetery memorializes their presence. He

added that they are using this information in the public schools to teach the community about itself.

Orlando B. Yates, Pastor of the Union Baptist Church asked the members to stand, stating they all stand solidly in support of the nomination of this cemetery. He then asked the members to introduce themselves. John Nolan, Mary Gaines, Marvin Grizhard, Louise Stallworth, Harlan Brock, Joyce Collier, Deloris Sutherland, Margo Wilson, Deloris Smith, Bailey W. Turner, Elizabeth White, Elsie Pierre, Eunice Johnson, Jane S. Young, all voiced their support of the nomination. Pastor Yates concluded stating that African-Americans have long contributed to Cincinnati and the time was right to nominate the cemetery for the sake of culture, society and history.

Dr. Bailey W. Turner also spoke in support of the nomination. He thanked the Board for the opportunity to speak and the members of Union Baptist Church and Mary Ann Olding for their work.

Ms. Spraul-Schmidt affirmed that the church and the cemetery were and continue to be important elements in the history and life of Cincinnati, and the cemetery should be recognized for its significance.

BOARD ACTION

The Board voted unanimously (motion by Wallace, second by Spraul-Schmidt) to take the following actions:

1. Find that the Union Baptist Cemetery meets the criteria for listing in the National Register of Historic Places;
2. Recommend that the nomination be revised to state specifically the cemetery's eligibility under Criterion Consideration A; and
3. Direct staff to forward the Board's findings and recommendations and its strong support of this nomination to the Ohio Historic Preservation Office prior to the June 7, 2002 meeting of the Ohio Historic Site Preservation Advisory Board.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date